

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRANK J. VOTTA and
LYNN E. VOTTA,

Plaintiffs,

v.

AMERIPATH MORTGAGE CORP.,

Defendant.

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C.A. No. 05-11133-WGY

**DEFENDANT AMERIPATH MORTGAGE CORPORATION'S
NOTICE OF WITHDRAWAL OF MOTION TO DISMISS**

Now comes defendant Ameripath Mortgage Corporation and withdraws its Motion to Dismiss, previously filed with the Court, on grounds of mootness.

Respectfully submitted,

AMERIPATH MORTGAGE CORPORATION,

By its attorneys,

/s/ Andrew C. Glass

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Dated: September 22, 2005

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2005, I served a true copy of the foregoing document by electronic filing upon the following:

Christopher M. Lefebvre
CLAUDE LEFEBVRE,
CHRISTOPHER LEFEBVRE P.C.
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/s/ Andrew C. Glass
Andrew C. Glass